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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Hankejh et al.   Examiner: Vu, V.

Serial No.:   09/326,258   Group Art Unit: 2154

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Title of Invention: Real Time Internet Communications System

Seattle, Washington 98109
May 27, 2002

TO THE COMMISSIONER FOR PATENTS
Washington, D.C. 20231

DECLARATION OF DAMION L. HANKEJH UNDER RULE 131(b)

Damion L. Hankejh declares:

1.   I am over the age of 18, and competent to testify in this matter. I am a co-inventor

of the above invention.

2.   At least as early as the beginning of 1996, I had conceived of combining a chat

function with a Web browser leading function, allowing a chat participant to lead other

participant(s) browsers to any location on the Web, in a networked communication environment.

Prior to that time, when in a chat session with my colleagues and wanting to share or pass links

to other site(s), we literally wrote them out in the chat text for individual use by the chat members

then logged on. This required the recipient to copy the text link and then direct another browser

application to that link address.

3.   By about January 1996, I had conceived of a communications process building on

what is described above where a user would click on a unique hyperlink button on a Web site and

be connected via the hyperlink request to begin a real-time chat dialogue with a live sales or service

person. The service person would answer questions and lead the user to any desired location on the Web.

4.   By about February 1996, I had further conceived of a real time internet communications system that would have a 'session' service, a web site, one or more support agents and at least one user. Each agent would log in to the session service, and meanwhile the user would be browsing the website. At some point the user would click a hyperlink on the site for assistance and be directed transparently to the session 'cloud' where the user would be placed in a virtual queue while the cloud would notify the logged in agent that a user had made a request via the link. The cloud would distribute a java client application to the user, and when the agent responded to accept the call from the cloud, both the agent and the user would be placed into an session channel or chat to collaborate.

5.   Between about February 1996 and June 1998 when we filed the provisional patent application in this case, I went through the following steps to put my conception into practice:

a.   Between about April and June 1996, I started writing some Java code to put my earliest broad conception into practice, in particular to define and implement my conceptual notions of 'session' and 'cloud'. I enlisted the coding and design collaboration of my co-inventor Hoa Ton-That around July 1996.

b.   At least as early as August 1996, my co-inventor, Hoa, and I were testing and verifying the above described chat and Web leading methods. By later in 1996, we had developed a functional Java-based browser leading function enabled in a chat session and were testing it in confidence among some of my colleagues, Don Moschberger and Dr. Arthur Ammann, at the American Foundation for AIDS Research (amfAR) in New York City, NY, and Hoa's peers at Lynk, LLC in Akron, OH.

c.   Shortly thereafter, around the Fall of 1996, when I had been involved in developing a Web site for the amfAR organization for their CTO, Don Moschberger, I learned about their 200+ member professional advisory panel and the vast numbers of grantee researchers they funded, and I realized the further possibilities for my browser leading chat session as both a collaboration and educational tool and in a broader sense as a customer service and support tool for the then burgeoning e-commerce market.

d.   Between the fall of 1996 and August 1997, we worked on expanding and refining the code base to better enable the process, and to build a platform to accommodate mission critical applications, including scalability, robustness for reduced dropouts and greater reliability, and redundancy. This work continued into and through 1997.

c.   Between 9/97 and 4/98 when we sought and engaged patent counsel to prepare and file the patent application in this case, I went through the following developments and/or tests:

      i.   I made and tested many prototypes each of which I would create from previous test results and from emerging requirements to meet criteria as I envisioned them, and as I have since disclosed in my application.

      ii.   As early as 1/98 my co-inventors, Martin Rood, Hoa and I began to make and test chat / browser leader CS prototypes on various browser platforms. I continued testing and refinement of similar prototypes through at least June of 1998.

f.   Between about 11/97 and 1/98, we produced our first browser leading chat and my co-inventor Martin Rood and I tested it. We continued ironing out bugs and making needed improvements through 4/98 when we engaged patent counsel.

g.   Between approximately 4/98 and 6/98, when we filed the provisional patent application, patent counsel and I worked on the application and on fullest implementation of best mode particulars for the application. I also continued testing of the invention and verification of our designs during that period, making changes and updates to patent application drafts continually during that period.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the accompanying application or any patent issued thereon.

DATED **5/27/2002** _____

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DAMION L. HANKEJH